

**Notice of Allowability**

Application No.

09/967,265

Examiner

Margaret B. Medley

Applicant(s)

AVERY ET AL.

Art Unit

1714

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to August 8, 2003.
2. ☒ The allowed claim(s) is/are 1-6, 8, 9 and 11.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)               |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. <u>9/03</u> |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____               | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment                       |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance                 |
|  | 9 <input type="checkbox"/> Other   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Joseph Alloca on September 03, 2003.

The application has been amended as follows:

I. In claim 1, at the end insert, ---, and wherein the light fluid cat cracker stream is characterized as having an initial boiling point in the range of about 32<sup>0</sup> C to 38<sup>0</sup> C, a T<sub>10</sub> in the range of about 54<sup>0</sup> C to 66<sup>0</sup> C, a T<sub>90</sub> in the range of about 138<sup>0</sup> C to 149<sup>0</sup> C, and a final boiling point in the range of about 166<sup>0</sup> C to 177<sup>0</sup> C---.

II. In claim 4 at the end insert ---, wherein the light fluid cat cracker stream is characterized as having an initial boiling point in the range of about 32<sup>0</sup> C to 38<sup>0</sup> C, a T<sub>10</sub> in the range of about 54<sup>0</sup> C to 66<sup>0</sup> C, a T<sub>90</sub> in the range of about 138<sup>0</sup> C to 149<sup>0</sup> C, and a final boiling point in the range of about 166<sup>0</sup> C to 177<sup>0</sup> C---.

III. Cancel claim 7.

IV. In claim 8, line 2 delete "7" and insert ---1, 2, 3, 4, 5 or 6---.

V. Cancel claim 10.

VI. In claim 11, line 3, delete "90<sup>0</sup> to 95<sup>0</sup>F" and insert ---32<sup>0</sup> C to 35<sup>0</sup> C--- same line delete "140<sup>0</sup>F to 145<sup>0</sup>F" and insert -60<sup>0</sup> C to 63<sup>0</sup> C---, line 4 delete "310<sup>0</sup>F to 320<sup>0</sup>F


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and insert ---154<sup>0</sup> C to 160<sup>0</sup> C---, line4-5 delete "400<sup>0</sup>F to 430<sup>0</sup>F" and insert---204<sup>0</sup> C to 221<sup>0</sup> C---.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Margaret B. Medley whose telephone number is 703-308-2518. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on 703-306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

  
Margaret B. Medley  
Primary Examiner  
Art Unit 1714

MBM

September 8, 2003